

From: Stuart Maxwell [<mailto:smaxwell@fed.cfmeu.asn.au>]

Sent: Friday, 17 July 2015 3:37 PM

To: AMOD

Subject: AM2014/196 - 4 yearly review of modern awards - casual employment- draft determination

Dear Vice President Hatcher,

In accordance with the directions issued on 29th June 2015 in AM2014/196 and 197, please find attached the draft determination for the variation that the CFMEU C&G seek for the Building and Construction General On-site Award 2010.

Yours faithfully,

Stuart Maxwell

Senior National Industrial Officer

CFMEU

Construction & General Division, National Office

Level 9, 215-217 Clarence St, Sydney NSW 2000

T: 02 8524 5800 F: 02 8524 5801

DRAFT DETERMINATION

Fair Work Act 2009

s.156 – 4 yearly reviews of modern awards

4 yearly review of modern awards – Casual employment

(AM2014/196)

BUILDING AND CONSTRUCTION GENERAL ON-SITE AWARD 2010

[\[MA000020\]](#)

Building, metal and civil construction industries

VICE PRESIDENT HATCHER

SENIOR DEPUTY PRESIDENT HARRISON

SENIOR DEPUTY PRESIDENT HAMBERGER

COMMISSIONER ROE

COMMISSIONER BULL

SYDNEY, 2016

4 yearly review of modern awards – casual employment.

A. Further to the decision issued by the Fair Work Commission on 2016, the above award is varied as follows:

1. By deleting clause 14.4 and replacing it with the following:

14.4 A casual employee is entitled to payment for a minimum of four hours' work per engagement, plus the relevant fares and travel allowance and expenses prescribed by clauses [24—Living away from home—distant work](#) and [25—Fares and travel patterns allowance](#) on each occasion they are required to attend work. Provided that where a casual employee is required to work for more than one engagement per day during the spread of ordinary hours:

- (a) If the 2nd engagement is continuous with the first engagement (taking into account the unpaid meal break as provided for in clauses 35.1 and 35.2) the hours worked will be deemed to be continuous with the first engagement and the first 8 hours of the total hours worked for the day will be treated as ordinary hours.
- (b) If the 2nd engagement is not continuous with the first engagement then the 2nd engagement is to be treated as a recall and paid at overtime

rates in accordance with clause 36.3 of the award. A casual employee will also be paid the relevant fares and travel allowance and expenses prescribed by clauses [24—Living away from home—distant work](#) and [25—Fares and travel patterns allowance](#) for the 2nd engagement.

B. This determination comes into operation from ____ 2016.

VICE PRESIDENT